

Certificate of Mailing

I hereby certify that this correspondence is being deposited on March 29, 2004 with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Typed or Printed name of person signing this certificate:

Leslie Ann Kuder

Signature: 

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	Examiner:	Unknown
Make Morris, et al.	)		
	)		
Serial No.: 10/601,720	)	Unit:	3761
	)		
Filed: June 23, 2003	)		
	)		
For: <b>SYSTEM AND METHOD FOR</b>	)		
<b>PROVIDING A BREATHING GAS</b>	)		
	)		
Attorney Docket No.: 12873/04604	)		

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This information disclosure statement is being filed before the mailing of a first Office Action on the merits. Applicants wish to disclose the following information:

**REFERENCES**

- ☒ The Applicants wish to make of record the references listed on the attached Form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.

- ☒ Listed on the attached PTO form 1449 is information known to persons substantively involved in the preparation of the application identified above. This is not a representation that more pertinent information does not exist.
- ☒ The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

### **CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☒ This information disclosure statement is being filed before the mailing of the first office action.

### **DEPOSIT ACCOUNT**

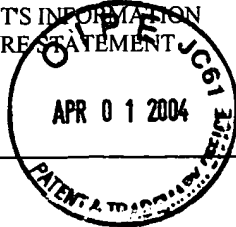
- ☐ A check is attached in the amount of \$180.00 as required under 37 § 1.17(p).
- ☒ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

By: Nenad Pejic  
Nenad Pejic (Reg. No. 37,415)  
(216) 622-8835

Subst. Form PTO-1449

Atty. Docket No. 12873/04604

Serial No.:  
10/601,720APPLICANT'S INFORMATION  
DISCLOSURE STATEMENT

Applicant: Make Morris, et al.

Filing Date: June 23, 2003

Group: 3761

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	4,011,859	Mar. 15, 1977	Frankenberger			
	AB	4,350,166	Sep. 21, 1982	Mobarry			
	AC	4,506,678	Mar. 26, 1985	Russell et al.			
	AD	4,648,396	Mar. 10, 1987	Raemer			
	AE	4,655,213	Apr. 7, 1987	Rapoport et al.			
	AF	4,713,558	Dec. 15, 1987	Russell et al.			
	AG	4,728,499	Mar. 1, 1988	Fehder			
	AH	4,817,013	Mar. 28, 1989	Corenman et al.			
	AI	4,944,310	Jul. 31, 1990	Sullivan			
	AJ	4,994,117	Feb. 19, 1991	Fehder			
	AK	5,065,756	Nov. 19, 1991	Rapoport			
	AL	5,117,819	Jun. 2, 1992	Servidio et al.			
	AM	5,124,129	Jun. 23, 1992	Riccitelli et al.			
	AN	5,134,995	Aug. 4, 1992	Gruenke et al.			
	AO	5,148,802	Aug. 12, 1997	Sanders et al.			
	AP	5,166,075	Nov. 24, 1992	Fehder			

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AQ						
	AR						

## OTHER DOCUMENTS

	AS	
	AT	
	AU	
	AV	
	AW	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

Subst. Form PTO-1449  APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No. 12873/04604	Serial No.: 10/601,720
	Applicant: Make Morris, et al.	
	Filing Date: June 23, 2003	Group: 3761

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	5,179,002	Jan. 12, 1993	Fehder			
	AB	5,199,424	Apr. 6, 1993	Sullivan et al.			
	AC	5,203,343	Apr. 20, 1993	Axe et al.			
	AD	5,239,995	Aug. 31, 1993	Estes et al.			
	AE	5,245,995	Sep. 21, 1993	Sullivan et al.			
	AF	5,279,289	Jan. 18, 1994	Kirk			
	AG	5,313,937	May 24, 1994	Zdrojowski			
	AH	5,335,654	Aug. 9, 1994	Rapoport			
	AI	5,343,878	Sep. 6, 1994	Scarberry et al.			
	AJ	5,353,788	Oct. 11, 1994	Miles			
	AK	5,394,882	Mar. 7, 1995	Mawhinney			
	AL	5,433,193	Jul. 18, 1995	Sanders et al.			
	AM	5,438,980	Aug. 8, 1995	Phillips			
	AN	5,445,160	Aug. 29, 1995	Culver et al.			
	AO	5,456,249	Oct. 10, 1995	Kirk			
	AP	5,458,137	Oct. 17, 1995	Axe et al.			

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AQ						
	AR						

## OTHER DOCUMENTS

	AS	
	AT	
	AU	
	AV	
	AW	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

Subst. Form PTO-1449  APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No. 12873/04604	Serial No.: 10/601,720
	Applicant: Make Morris, et al.	
	Filing Date: June 23, 2003	Group: 3761

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	5,490,502	Feb. 13, 1996	Rapoport et al.			
	AB	5,492,113	Feb. 20, 1996	Estes et al.			
	AC	5,503,146	Apr. 2, 1996	Froehlich et al.			
	AD	5,522,382	Jun. 4, 1996	Sullivan et al.			
	AE	Re. 35,295	Jul. 16, 1996	Estes et al.			
	AF	5,535,738	Jul. 16, 1996	Estes et al.			
	AG	5,535,739	Jul. 16, 1996	Rapoport et al.			
	AH	5,537,997	Jul. 23, 1996	Mechlenburg et al.			
	AI	5,540,219	Jul. 30, 1996	Mechlenburg et al.			
	AJ	5,546,933	Aug. 20, 1996	Rapoport et al.			
	AK	5,549,106	Aug. 27, 1996	Gruenke et al.			
	AL	5,551,418	Sep. 3, 1996	Estes et al.			
	AM	5,551,419	Sep. 3, 1996	Froehlich et al.			
	AN	5,558,638	Sep. 24, 1996	Evers et al.			
	AO	Re. 35,339	Oct. 1, 1996	Rapoport			
	AP	5,592,938	Jan. 14, 1997	Scarberry et al.			

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AQ						
	AR						

## OTHER DOCUMENTS

	AS	
	AT	
	AU	
	AV	
	AW	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

Subst. Form PTO-1449  APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No. 12873/04604	Serial No.: 10/601,720
	Applicant: Make Morris, et al.	
	Filing Date: June 23, 2003	Group: 3761

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	5,598,838	Feb. 4, 1997	Servidio et al.			
	AB	5,630,411	May 20, 1997	Holscher			
	AC	5,632,269	May 27, 1997	Zdrojkowski			
	AD	5,655,522	Aug. 12, 1997	Mechlenburg et al.			
	AE	5,679,884	Oct. 21, 1997	Kirk			
	AF	5,682,878	Nov. 4, 1997	Ogden			
	AG	5,694,923	Dec. 9, 1997	Hete et al.			
	AH	5,701,883	Dec. 30, 1997	Hete et al.			
	AI	5,704,345	Jan. 6, 1998	Berthon-Jones			
	AJ	5,715,812	Feb. 10, 1998	Deighan et al.			
	AK	5,738,106	Apr. 14, 1998	Yamamori et al.			
	AL	5,740,795	Apr. 21, 1998	Brydon			
	AM	5,765,563	Jun. 16, 1998	Vander Schaaf			
	AN	5,794,614	Aug. 18, 1998	Gruenke et al.			
	AO	5,794,615	Aug. 18, 1998	Estes			
	AP	5,803,065	Sep. 8, 1998	Zdrojkowski et al.			

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AQ						
	AR						

## OTHER DOCUMENTS

	AS	
	AT	
	AU	
	AV	
	AW	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

Subst. Form PTO-1449  APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No. 12873/04604		Serial No.: 10/601,720
	Applicant: Make Morris, et al.		
	Filing Date: June 23, 2003		Group: 3761

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
1	AA	5,803,066	Sep. 8, 1998	Rapoport et al.			
	AB	5,823,187	Oct. 20, 1998	Estes et al.			
	AC	5,845,636	Dec. 8, 1998	Gruenke et al.			
	AD	5,865,173	Feb. 2, 1999	Froehlich			
	AE	5,881,717	Mar. 16, 1999	Isaza			
	AF	5,881,723	Mar. 16, 1999	Wallace et al.			
	AG	5,901,704	May 11, 1999	Estes et al.			
	AH	5,904,141	May 18, 1999	Estes et al.			
	AI	5,915,379	Jun. 29, 1999	Wallace et al.			
	AJ	5,915,380	Jun. 29, 1999	Wallace et al.			
	AK	5,927,274	Jul. 27, 1999	Servidio et al.			
	AL	5,937,851	Aug. 17, 1999	Serowski et al.			
	AM	5,947,115	Sep. 7, 1999	Lordo et al.			
	AN	5,953,713	Sep. 14, 1999	Behbehani et al.			
	AO	5,970,975	Oct. 26, 1999	Estes et al.			
	AP	6,017,315	Jan. 25, 2000	Starr et al.			

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AQ						
	AR						

## OTHER DOCUMENTS

	AS	
	AT	
	AU	
	AV	
	AW	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

Subst. Form PTO-1449  APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No. 12873/04604	Serial No.: 10/601,720
	Applicant: Make Morris, et al.	
	Filing Date: June 23, 2003	Group: 3761

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	6,024,089	Feb. 15, 2000	Wallace et al.			
	AB	6,026,312	Feb. 15, 2000	Shemwell et al.			
	AC	6,029,660	Feb. 29, 2000	Callaud et al.			
	AD	6,029,664	Feb. 29, 2000	Zdrojkowski et al.			
	AE	6,029,665	Feb. 29, 2000	Berthon-Jones			
	AF	6,044,843	Apr. 4, 2000	O'Neil et al.			
	AG	6,085,747	Jul. 11, 2000	Axe et al.			
	AH	6,091,973	Jul. 18, 2000	Colla et al.			
	AI	6,095,974	Aug. 1, 2000	Shemwell et al.			
	AJ	6,102,042	Aug. 15, 2000	Hete et al.			
	AK	6,105,575	Aug. 22, 2000	Estes et al.			
	AL	6,123,074	Sep. 26, 2000	Hete et al.			
	AM	6,123,075	Sep. 26, 2000	Kirk			
	AN	6,135,106	Oct. 24, 2000	Dirks et al.			
	AO	6,138,675	Oct. 31, 2000	Berthon-Jones			
	AP	6,142,952	Nov. 7, 2000	Behbehani et al.			

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AQ						
	AR						

## OTHER DOCUMENTS

	AS	
	AT	
	AU	
	AV	
	AW	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.



Subst. Form PTO-1449  APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No. 12873/04604	Serial No.: 10/601,720
	Applicant: Make Morris, et al.	
	Filing Date: June 23, 2003	Group: 3761

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	6,152,129	Nov. 28, 2000	Berthon-Jones			
	AB	6,155,986	Dec. 5, 2000	Brydon et al.			
	AC	6,182,657	Feb. 6, 2001	Brydon et al.			
	AD	6,183,423	Feb. 6, 2001	Gaumont et al.			
	AE	6,212,435	Apr. 3, 2001	Lattner et al.			
	AF	6,213,119	Apr. 10, 2001	Brydon et al.			
	AG	6,237,592	May 29, 2001	Surjadi et al.			
	AH	6,237,593	May 29, 2001	Brydon			
	AI	6,240,921	Jun. 5, 2001	Brydon et al.			
	AJ	2001/0004894	Jun. 28, 2001	Bourdon			
	AK	6,253,764	Jul. 3, 2001	Calluaud			
	AL	6,257,234	Jul. 10, 2001	Sun			
	AM	6,269,811	Aug. 7, 2001	Duff et al.			
	AN	6,269,812	Aug. 7, 2001	Wallace et al.			
	AO	2001/0015204	Aug. 23, 2001	Hansen et al.			
	AP	6,279,569	Aug. 28, 2001	Berthon-Jones			

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AQ						
	AR						

## OTHER DOCUMENTS

	AS	
	AT	
	AU	
	AV	
	AW	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

Subst. Form PTO-1449  APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No. 12873/04604	Serial No.: 10/601,720
	Applicant: Make Morris, et al.	
	Filing Date: June 23, 2003	Group: 3761

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	6,299,581	Oct. 9, 2001	Rapoport et al.			
	AB	2001/0027791	Oct. 11, 2001	Wallace et al.			
	AC	2001/0027792	Oct. 11, 2001	Berthon-Jones et al.			
	AD	6,302,105	Oct. 16, 2001	Wickham et al.			
	AE	6,305,372	Oct. 23, 2001	Servidio			
	AF	6,305,373	Oct. 23, 2001	Wallace et al.			
	AG	6,305,374	Oct. 23, 2001	Zdrojkowski et al.			
	AH	2001/0035186	Nov. 1, 2001	Hill			
	AI	4,821,736	April 18, 1989	Watson			
	AJ	5,193,544	March 16, 1993	Jaffe			
	AK	5,332,901	July 26, 1994	Eckles, et al.			
	AL	5,954,050	September 21, 1999	Christopher			
	AM	6,099,481	August 8, 2000	Daniels, et al.			
	AN	4,773,411	September 27, 1988	Downs			
	AO	6,467,477 B1	October 22, 2002	Frank, et al.			
	AP	6,305,374 B1	October 23, 2001	Zdrojkowski, et al.			
	AQ	6,105,575	August 22, 2000	Estes, et al.			
	AR	6,609,517 B1	August 26, 2003	Estes, et al.			

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AS						
	AT						

## OTHER DOCUMENTS

	AU	
	AV	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.